

## **CHAPTER VII**

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### **MITIGATION MONITORING AND REPORTING PROGRAM**



**MITIGATION MONITORING AND REPORTING PROGRAM  
BUILDING 49 PROJECT: SCH# 2003062097**

SIGNIFICANT IMPACT	MITIGATION MEASURE	TIMING / MILESTONE	RESPONSIBILITY
<b>B. Air Quality</b>			
<b>B.1:</b> Project-related construction activities would generate short-term emissions of criteria pollutants, including suspended and inhalable particulate matter and equipment exhaust emissions.	<p><b>B.1: During construction, the project sponsor shall require the construction contractor to implement BAAQMD’s basic dust control procedures required for sites smaller than four acres, such as the project site, to maintain project construction-related impacts at acceptable levels; this mitigates the potential impact to less than significant. Elements of the dust abatement program shall include, but not be limited to the following:</b></p> <ul style="list-style-type: none"> <li>• Water all active construction areas at least twice daily, or as needed to sufficiently reduce dust emissions. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible (included in Mitigation Measure III-J.1 of the 1987 LRDP EIR, as amended).</li> <li>• Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer) (included in Mitigation Measure III-J.1 of the 1987 LRDP EIR, as amended).</li> <li>• Pave, apply water three times daily, or as needed to sufficiently reduce dust emissions, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.</li> <li>• Sweep streets (with water sweepers using reclaimed water if possible) at the end of each day if visible soil material is carried onto adjacent paved roads.</li> </ul> <p><b>Impact level after mitigation: Less than significant</b></p>	During construction planning and excavation/ construction phases.	Building 49 Project Manager & LBNL Environmental Planning Coordinator

## MITIGATION MONITORING PROGRAM (cont'd.)

SIGNIFICANT IMPACT	MITIGATION MEASURE	TIMING	RESPONSIBILITY
<b>C. Biological Resources</b>			
<b>C.2:</b> Construction activities could adversely affect nesting raptors and other special-status nesting birds.	<p><b>C.2: Avoid disturbing active nests of raptors and other special-status bird species within 500 feet of the proposed project footprint.</b></p> <p>For construction activities (i.e., ground clearing and grading, including removal of trees or shrubs) scheduled to occur during the nonbreeding season (August 1 through January 31), no mitigation is required. In addition, if construction activities commence during the nonbreeding season and continue into the breeding season, no mitigation is required. Birds that nest in the project area after construction activities are underway are assumed to be acclimated to construction activities. If construction activities commence during the breeding season (February 1 through July 31), the following measures would avoid potential adverse effects on nesting special-status raptors and other nesting birds:</p> <ul style="list-style-type: none"> <li>• A qualified wildlife biologist would conduct preconstruction surveys of all potential nesting habitat within 500 feet of construction activities.</li> <li>• If active nests of raptors or other bird species are found during preconstruction surveys, a no-disturbance buffer zone would be created around active nests during the breeding season or until a qualified biologist determines that all young have fledged. The size of these buffer zones and types of construction activities restricted in these areas would be determined through coordination with CDFG and would be based on existing noise and human disturbance levels at the project site.</li> <li>• If pre-construction surveys indicate that nests are inactive or potential habitat is unoccupied during the construction period, no further mitigation is required. Trees and shrubs that have been determined to be unoccupied by special-status birds or that are located more than 500 feet from active nests may be removed.</li> </ul> <p><b>Impact level after mitigation: Less than significant</b></p>	During construction planning and site clearing/ excavation/ construction phases	Building 49 Project Manager & LBNL Environmental Planning Coordinator

## MITIGATION MONITORING PROGRAM (cont'd.)

SIGNIFICANT IMPACT	MITIGATION MEASURE	TIMING	RESPONSIBILITY
<p><b>C.3:</b> Removal of trees and other proposed construction activities during the breeding season could result in direct mortality of special-status bats. In addition, construction noise and human disturbance could cause roost abandonment and death of young.</p>	<p><b>C.3: Avoid disturbance of the roosts of special-status bats during the breeding season.</b></p> <p>If construction activities (i.e., ground clearing and grading, including removal of trees or shrubs) are scheduled to occur during the nonbreeding season (September 1 through February 28), no mitigation is required.</p> <p>If construction activities are scheduled to occur during the breeding season (March 1 through August 31), the following measures are required to avoid potential adverse effects on breeding special-status bats:</p> <ul style="list-style-type: none"> <li>• A qualified bat biologist, acceptable to CDFG, would conduct preconstruction surveys of all potential breeding habitat within 200 vertical feet of construction activities. In late winter or early spring, potentially suitable crevices would be located visually using a high-powered telescope. Bat emergence counts would be made at dusk as the bats depart from any suitable crevices. In addition, an acoustic detector would be used to determine any areas of activity. At least four nighttime emergence counts would be undertaken on nights that are warm enough for bats to be active, as determined by a qualified bat biologist.</li> <li>• If active roosts are identified during preconstruction surveys, a no-disturbance buffer acceptable to CDFG would be created around active bat roosts during the breeding season. Bat roosts initiated during construction are presumed to be unaffected, and no buffer is necessary. However, the take of individuals would be prohibited.</li> </ul> <p>If preconstruction surveys indicate that roosts are inactive or potential habitat is unoccupied during the construction period, no further mitigation is required. Trees and shrubs that have been determined to be unoccupied by special-status bats or that are located outside the no-disturbance buffer for active roosts may be removed.</p> <p><b>Impact level after mitigation: Less than significant</b></p>	<p>During construction planning and site clearing/ excavation/ construction phases</p>	<p>Building 49 Project Manager &amp; LBNL Environmental Planning Coordinator</p>

## MITIGATION MONITORING PROGRAM (cont'd.)

SIGNIFICANT IMPACT	MITIGATION MEASURE	TIMING	RESPONSIBILITY
<p><b>C.4:</b> The proposed project has a low potential for take or harassment of Alameda whipsnakes potentially dispersing through the project vicinity.</p>	<p><b>C.4a: Daily site surveys for Alameda whipsnake shall be carried out by a designated monitor.</b></p> <p>Each morning, prior to the initiation of excavation, construction, or vehicle operation, the project area shall be surveyed by a designated monitor, trained in Alameda whipsnake identification and ecology by a qualified biologist, to ensure that no Alameda whipsnakes are present. This survey shall not be intended to be a protocol-level survey, but rather one designed to verify that no snakes are actually on-site each day. All lay-down and deposition areas, as well as any other areas that might conceal or shelter snakes or other animals would be inspected each morning by the designated monitor to ensure that Alameda whipsnakes are not present.</p>	<p>During construction planning and site clearing/ excavation/ construction phases. Will end for paved areas only after site is graded, paved or surfaced, and the building structure is erected</p>	<p>Building 49 Project Manager &amp; LBNL Environmental Planning Coordinator</p>
	<p><b>C.4b: Worker environmental sensitivity training shall be conducted by the designated monitor prior to each worker's commencing activities on-site.</b></p> <p>All on-site workers would attend an Alameda whipsnake information session conducted by the designated monitor prior to beginning work on-site. This session would cover identification of the species and procedures to be followed if an individual is found on site, as well as basic site rules meant to protect biological resources, such as speed limits, no littering, and no smoking.</p>		
	<p><b>C.4c: Hours of operation and speed limits shall be instituted and posted.</b></p> <p>All construction activities that take place on the ground would be performed in daylight hours when snakes can be seen. Vehicle speed on site shall not exceed 5 miles per hour.</p>		
	<p><b>C.4d: Site vegetation management shall take place prior to tree removal, grading, excavation, or other construction activities. Construction materials, soil, construction debris, or other material shall be deposited only on areas where vegetation has been mowed such that the absence of any snakes can be visually confirmed.</b></p>		

## MITIGATION MONITORING PROGRAM (cont'd.)

SIGNIFICANT IMPACT	MITIGATION MEASURE	TIMING	RESPONSIBILITY
<b>Biological Resources C.4d (con't.)</b>	<p>The Building 49 site is subject to annual vegetation management involving the close-cropping of all grasses and ground cover on the project area; this management shall be undertaken prior to initiation of construction. Re-mowing shall be done if grass or other vegetation on the Building 49 site becomes high enough to conceal whipsnakes during the construction period.</p> <p><b>Impact level after mitigation: Less than significant</b></p>		
<b>D. Cultural Resources</b>			
<b>D.1:</b> Construction of the proposed project could result in discovery of and/or inadvertent damage to important prehistoric (Native American) or historic archaeological resources.	<p><b>D.1a:</b> If an archaeological and/or paleontological artifact were discovered onsite during construction, all activities within a 50-foot radius would be halted and a qualified archaeological/ paleontological monitor would be summoned within 24 hours to inspect the site. If the find were determined to be significant and to merit formal recording or data collection, time and funding would be devoted to salvage the material. Any archaeologically important data recovered during monitoring would be cleaned, catalogued and analyzed, with the results presented in a report of finding that satisfies professional standards.</p> <p>Since the proposed project is unlikely to contain any archaeological and paleontological resources, it would also be unlikely to encounter human remains in the vicinity of the project site. However, if human remains should be encountered during construction, work would be halted and the following project-specific mitigation measure implemented.</p> <p><b>D.1b:</b> In the event that human skeletal remains were uncovered during construction or ground-breaking activities on the project site, all work would immediately halt and the Alameda County Coroner would be contacted to evaluate the remains.</p> <p><b>Impact level after mitigation: Less than significant</b></p>	During site excavation and grading phase.	Building 49 Project Manager & LBNL Environmental Planning Coordinator

## MITIGATION MONITORING PROGRAM (cont'd.)

SIGNIFICANT IMPACT	MITIGATION MEASURE	TIMING	RESPONSIBILITY
<b>I. Noise</b>			
<b>I.1:</b> Construction activities associated with the project would intermittently and temporarily generate noise levels above existing ambient levels in the project vicinity.	<p><b>I.1:</b> To reduce daytime noise impacts due to construction, LBNL shall require construction contractors to implement noise reduction measures.</p> <p>These measures expand upon Mitigation Measures III-K-1 and III-K-2 from the 1987 LRDP EIR, as amended:</p> <ul style="list-style-type: none"> <li>Construction activities would be limited to the hours of 7:00 a.m. to 7:00 p.m. on weekdays, and the hours of 8:00 a.m. to 4:00 p.m. on Saturdays. No construction shall occur on Sundays or holidays. Soil off-hauling would be restricted to between the hours of 9:00 a.m. and 4:00 p.m. This would eliminate any noise impacts during the more noise-sensitive nighttime hours and on days when construction noise might be more disturbing.</li> <li>Equipment and trucks used for project construction shall utilize the best available noise control techniques (<i>e.g.</i>, improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds, wherever feasible).</li> <li>Impact tools (<i>e.g.</i>, jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used where feasible, and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible.</li> </ul>	During site clearing, and excavation/ construction phases.	Building 49 Project Manager & LBNL Environmental Planning Coordinator



## MITIGATION MONITORING PROGRAM (cont'd.)

SIGNIFICANT IMPACT	MITIGATION MEASURE	TIMING	RESPONSIBILITY
Noise I.1 (con't.)	<ul style="list-style-type: none"><li>Noise from idling trucks shall be kept to a minimum. No trucks shall be permitted to idle for more than 10 minutes if waiting within 100 feet of a residential area.</li><li>Stationary noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or other measures to the extent feasible.</li><li>At least two weeks prior to the start of excavation, LBNL or its contractor shall provide written notification to all neighbors within 500 feet of the project site, including residents along Highland Place. The notification shall indicate the estimated duration and completion date of the construction, construction hours, and necessary contact information for potential complaints about construction noise (i.e., name, telephone number, and address of party responsible for construction). The notice shall indicate that noise complaints resulting from construction can be directed to the contact person identified in the notice. The name and phone number of the contact person also shall be posted outside the LBNL boundaries (e.g., at the Blackberry Canyon Gate).</li></ul>		
Impact level after mitigation: Less than significant			
L. Utilities			
L.1: Project construction would generate construction waste and debris.	L.1: During construction, LBNL shall be required to maximize diversion of the byproducts of construction. The project sponsor shall develop a plan for maximizing diversion of construction materials associated with the construction of the proposed project from landfill disposal.	During construction planning and site clearing/ excavation/ construction phases.	Building 49 Project Manager & LBNL Environmental Planning Coordinator
Impact level after mitigation: Less than significant			